

App. Ser. No.: 10/051,472  
Atty. Doc. No.: D02602

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REMARKS

JUL 20 2006

In the Office Action mailed on April 20, 2006, the Examiner objected to claims 6 and 12; objected to the drawings for failure to have corresponding description in the specification; rejected claims 1, 13, 14, 16-22, 25-27, 29, 30, 32-40, 42, 44-48 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2006/0031883 to Ellis in view of "Sam's Teach Yourself Microsoft Outlook 2000 in 24 Hours" by Tyson; rejected claims 2, 3, 5-8, 10-12 and 24 under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of Tyson and further in view of U.S. Patent No. 6,130,726 to Darbee; rejected claim 4 under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of Tyson in view of Darbee and further in view of U.S. Patent No. 6,020,880 to Naimpally; rejected claim 9 as being unpatentable over Ellis in view of Tyson, in view of Darbee and further in view of U.S. Patent Publication No. 2002/0023266 to Kawana et al.; rejected claims 15, 28, 43 and 51 under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of Tyson and further in view of U.S. Patent No. 6,489,950 to Griffin et al.; rejected claim 23 under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of Tyson and further in view of Kawana; rejected claim 31 under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of Tyson in view of Griffin et al. and further in view of U.S. Patent No. 6,859,937 to Narayan et al.; rejected claim 41 under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of Tyson and further in view of U.S. Patent No. 6,854,007 to Hammond and rejected claim 49 under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of Tyson and further in view of U.S. Patent No. 6,337,856 to Schanhals.

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In response, Applicant has amended the specification to describe element 305 in FIG. 3; amended claims 20, 22, 25, 27 and 29 and cancelled claims 1-19, 21, 24 and 30-51. No new matter has been added.

Amended claim 20 includes the limitations of previous dependent claims 21 and 24. In rejecting previous claim 24, the Examiner admits the combination of Ellis and Tyson "fail to teach using the control buttons to navigate the EPG menu and make program channel selections displayed on the television without displaying the EPG menu on the television." The Examiner goes on to state that Darbee teaches this feature and that one of ordinary skill in art would have been motivated to combine the teachings of Ellis, Tyson and Darbee because Darbee teaches a way of "preventing an interruption of content on a television."

The Examiner's motivation to combine Ellis, Tyson and Darbee is improper. The Examiner is pre-supposing that the combination of Ellis and Tyson have a problem with interruption of content on a television. Nowhere does the Examiner point to a citation in either Ellis or Tyson that indicates this is a problem in either reference or in the combination of references. Therefore, the motivation to add Darbee to Ellis and Tyson does not exist.

Claims not specifically mentioned above are allowable based upon their dependence on an allowed base claim.

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CONCLUSION

No fees are believed due for this amendment. The Office is authorized to charge any needed fees or underpayments of fees (including fees for petitions for extensions of time) under 37 C.F.R. 1.16 and 1.17 to account number 502117. Any overpayments should be credited to the same account.

Applicant respectfully requests reconsideration of the present application, withdrawal of the pending objections and rejections and the issuance of a Notice of Allowance. The Applicant's representative can be reached at the below telephone number if the Examiner has any questions.

Respectfully submitted,

Barry Falvo et al.

Benjamin D. Driscoll

Reg. No. 41,571

Motorola, Inc.

101 Tournament Drive

Horsham, PA 19044

P (215) 323-1840

F (215) 323-1300

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Date